

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

MACKINAC CENTER FOR PUBLIC
POLICY,

Plaintiff,

v.

U.S. DEPARTMENT OF
EDUCATION, *et al.*,

Defendants.

Case No. 1:23-cv-10795-TLL-PTM

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants respectfully notify the Court of a recent published decision by the Sixth Circuit in *Mackinac Center for Public Policy v. Cardona*, --- F.4th ----, No. 23-1736 (6th Cir. May 17, 2024). That case was brought by the same Plaintiff as here, involved substantially similar challenges to Defendants’ actions as here, and raised essentially identical questions of competitor standing as here. On appeal, the Sixth Circuit soundly rejected Plaintiffs’ standing arguments and affirmed this Court’s *sua sponte* dismissal of Plaintiffs’ claims for lack of standing. *See, e.g.*, Ex. 1 at 17 (“Plaintiffs’ allegations regarding supply and demand and the impact of financial incentives on third-party student-loan debtors are wholly speculative.”). The *Mackinac* decision provides controlling authority in support of Defendants’ motion to dismiss this case.

Dated: May 17, 2024

Respectfully submitted,

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